

Request for Consideration of the Claims Presented by this Preliminary Amendment is Proper

A telephonic restriction requirement in the above-referenced application was made on June 3, 1998, and confirmed in the Office Action mailed on June 9, 1998. The claims originally presented in the application as filed were restricted into two groups: Group I (Claims 1-14); and Group II (Claims 15-27). An election was made to prosecute the claims of Group I. The claims of Group II were subsequently cancelled in an Amendment mailed September 9, 1998.

On September 4, 2002, a decision by the Board of Appeals was mailed, upholding rejections by the Examiner of Claims 1-14. In response thereto, Claims 1-14 are being cancelled by this Preliminary Amendment that accompanies this Divisional/Continued Prosecution Application and the originally presented Claims 15-29 are being re-presented. Because originally presented Claims 15-29 have been found to be independent and distinct from Claims 1-14 by the Examiner, there is no collateral estoppel with respect to the examination of these new claims. Therefore, examination of Claims 15-29 is respectfully requested.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned at (978) 341-0036.

Respectfully submitted,

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